

MAA

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

- - - - - x

UNITED STATES OF AMERICA

Hon. Dennis M. Cavanaugh

v.

Cr. No. 02-195 (DMC)

RONDELL WARNER,  
MARCEL SIMMONS,  
ROBERTO SANTANA,  
a/k/a "Mira,"  
TIMOTHY JOHNSON,  
a/k/a "Herman Johnson,"  
a/k/a "Dashaun Baisden,"  
a/k/a "Peanut," and  
RASHAWN LeGRANDE,  
a/k/a "Black,"

18 U.S.C., Sections 1956,  
1959(a)(4) & (a)(5),  
1962(c), 1962(d) & 2,  
21 U.S.C. §§ 841(a)(1), 846,  
& 861.

- - - - - x

SUPERSEDING INDICTMENT

The Grand Jury in and for the District of New Jersey,  
sitting at Newark, charges:

COUNT ONE  
(Racketeering Conspiracy)

1. At all times relevant to this Superseding  
Indictment, in the District of New Jersey and elsewhere,  
defendants RONDELL WARNER, MARCEL SIMMONS, ROBERTO SANTANA,  
a/k/a "Mira," TIMOTHY JOHNSON, a/k/a "Herman Johnson," a/k/a  
"Dashaun Baisden," a/k/a "Peanut," and others, were members and  
associates of a criminal organization which, at times, was known  
and referred to, as Lex Mob, L.E.X. Mob, L.E.X. or Lexington  
(hereinafter referred to as "Lex Mob"). Members and associates  
of this criminal organization engaged in acts of violence,

including murder, attempted murder and conspiracy to commit murder as well as narcotics distribution and money laundering.

2. Lex Mob, including its leadership, membership and associates, constituted an "enterprise," as defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact. This enterprise, which was engaged in and the activities of which affected interstate and foreign commerce, constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

#### Roles of the Defendants

3. The defendants participated in the operation and management of the enterprise; at times relevant to this Superseding Indictment:

a. defendant RONDELL WARNER was a leader of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs;

b. under the direction of defendant RONDELL WARNER, the members and associates of the enterprise, including the defendants herein, participated in unlawful and other activities in furtherance of the conduct of the enterprise's affairs.

#### The Racketeering Conspiracy

4. From at least September 1993 until the date of this Superseding Indictment, within the District of New Jersey and elsewhere defendants

RONDELL WARNER,  
MARCEL SIMMONS,  
ROBERTO SANTANA,  
a/k/a "Mira," and  
TIMOTHY JOHNSON,  
a/k/a "Herman Johnson,"  
a/k/a "Dashaun Baisden,"  
a/k/a "Peanut"

and others, being persons employed by and associated with Lex Mob, which engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise, through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5).

5. The pattern of racketeering activity through which the defendants agreed to conduct the affairs of the enterprise consisted of the acts set forth in paragraphs 15 through 22 of Count Two of this Superseding Indictment, which are incorporated as if fully set forth herein. It was a further part of the conspiracy that the defendants agreed that a co-conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

Purposes of the Lex Mob Criminal Enterprise

6. The purposes of the enterprise included the following:

a. enriching the members and associates of the enterprise through, among other things, acts in violation of the laws of the United States and the State of New Jersey involving narcotics trafficking; murder; attempted murder; threats of violence; the possession, carrying and use of firearms; money laundering; and the tampering and intimidation of witnesses;

b. preserving and protecting the power and influence of the enterprise, its members and associates through the use of acts in violation of the laws of the United States and the State of New Jersey involving narcotics trafficking; murder; attempted murder; threats of violence; the possession, carrying and use of firearms; money laundering; and the tampering and intimidation of witnesses; and

c. promoting and enhancing the enterprise and the activities of its members and associates.

#### Background

7. In or about 1993, defendant RONDELL WARNER, and others, including unindicted co-conspirators T.C. and L.H., were involved in the distribution of narcotic drugs including cocaine and heroin in the area of Bergen and Lexington Avenues in Jersey City, New Jersey. In the later part of that year, a rival group of drug dealers became involved in a dispute with WARNER's group regarding control over this drug location.

8. This dispute culminated in, among other events, defendant WARNER shooting an individual, T.S., in the neck at close range on or about December 8, 1993 in the area of Bergen and Lexington Avenues in Jersey City, New Jersey.

9. Additionally, on or about January 24, 1994, defendant WARNER assisted an unindicted co-conspirator in fleeing the scene of a homicide committed by L.H. and T.C. involving a victim, C.B., who was shot to death in Jersey City, New Jersey.

10. In this manner, and by the methods and means set forth below, defendant RONDELL WARNER created, headed and profited from a lucrative drug distribution enterprise known as Lex Mob.

#### Methods and Means of the Conspiracy

11. Among the methods and means employed by members and associates of the enterprise in conducting the affairs of the enterprise were those set forth in sub-paragraphs 11(a) through (p) below:

a. defendant RONDELL WARNER used enforcers to threaten, intimidate and shoot at rival drug dealers so as to remove them from the area of Lexington and Bergen Avenues, allowing Lex Mob and its members to exert greater control over this lucrative drug location;

b. through the use of force and intimidation, Lex Mob came to control the drug trade in the area of Bergen and Lexington Avenues in Jersey City, New Jersey, among other places;

c. Lex Mob members at times during the conspiracy alleged herein allowed certain other drug dealers to sell near their territory; however, Lex Mob members on occasion threatened, assaulted, attempted to murder and murdered certain rival dealers when their activity interfered with the business of Lex Mob and its members;

d. defendant WARNER had a regular source of supply for powder cocaine located in the Washington Heights section of Manhattan, from whom Lex Mob members routinely purchased quantities of cocaine;

e. after purchasing the powder cocaine in New York, Lex Mob members brought the unpackaged cocaine back to New Jersey, where it was kept in "stash" apartments in various locations under the control of one or more Lex Mob members;

f. Lex Mob members "cut up" and "bottled" the cocaine in individual vials (each of which contained approximately .1 grams of cocaine) for sale on the street;

g. the bottled cocaine was then brought from the "stash" location to the sale location and then given to the hand-to-hand sellers, who sold the cocaine in different locations in and around Jersey City, New Jersey;

h. members of Lex Mob at times utilized police scanners and communicated by means of walkie talkies and cellular telephones in order to monitor and alert each other to the presence of police and to otherwise facilitate the sale of narcotics;

i. Lex Mob members had access to vehicles which they used to transport cocaine and to otherwise further the business of the organization and its members, including the following:

i. a black Nissan Quest van registered to J.W.;

ii. a burgundy Nissan Quest van registered to T.J.;

iii. a model year 2000 Jaguar S-Type owned by defendant RONDELL WARNER but registered in the name of T.C., who is related to defendant RONDELL WARNER; and

iv. a model year 2001 Jaguar S-Type owned by defendant RONDELL WARNER but registered in the name of T.C., who is related to defendant RONDELL WARNER;

j. the hand-to-hand sellers of the enterprise's narcotics, also known as hustlers or pitchers, were obligated to pass a pre-established portion of the drug proceeds to one or more Lex Mob Lieutenants, whose responsibility was to collect the proceeds on behalf of the organization;

k. a portion of these proceeds were passed on to defendant RONDELL WARNER, who used this money to further the business of Lex Mob as well as for his personal profit;

l. it was understood by members of the enterprise that a Lex Mob member who stole or lost drugs or money belonging to the enterprise might be punished in a violent manner. Examples of this practice include the following:

i. on or about April 14, 1996, defendant RONDELL WARNER shot R.R., a member of Lex Mob;

m. members of Lex Mob often carried firearms in order to protect themselves and to threaten others in order to maintain the interests of the drug organization. For example:

i. in or about January of 2002, defendant WARNER caused to be provided to a Lex Mob member a loaded Skorpion semi-automatic assault rifle in order to patrol the area around Lexington and Bergen Avenues in Jersey City, New Jersey;

ii. on or about January 10, 2002, a member of Lex Mob used a firearm to shoot at another person;

iii. on or about December 21, 2001, a member of Lex Mob possessed one loaded .38 caliber handgun, which was recovered by law enforcement;

iv. on or about September 15, 2001, a member of Lex Mob was in possession of a loaded firearm;

v. on or about September 29, 2000, members of law enforcement recovered from a Lex Mob member one loaded .45 caliber firearm which was used to shoot at a police officer with the Jersey City Police Department;

vi. on or about October 19, 1999, defendant ROBERTO SANTANA was in possession of a loaded .380 caliber Lorcin handgun;

vii. on or about August 23, 1999, defendants MARCEL SIMMONS and TIMOTHY JOHNSON were each in possession of a

firearm, and used these firearms in an effort to murder another person;

viii. on or about August 23, 1999, defendant ROBERTO SANTANA was in possession of a firearm;

ix. on or about August 15, 1999, defendant MARCEL SIMMONS was in possession of a firearm and used that firearm in an attempt to murder another person;

x. on or about May 24, 1999, a Lex Mob member was in possession of a loaded .380 caliber handgun;

xi. on or about June 19, 1999, Rashawn LeGrande was in possession of one loaded .22 caliber revolver;

xii. on or about April 14, 1996, defendant RONDELL WARNER was in possession of a loaded firearm and used this firearm to shoot another person;

xiii. on or about December 8, 1993, defendant RONDELL WARNER was in possession of a loaded firearm and used that firearm to shoot another person;

n. defendant RONDELL WARNER regularly employed and used minors, some as young as fifteen years of age, to sell narcotics on behalf of the Lex Mob drug organization and its members;

o. defendant RONDELL WARNER employed and used minors to commit violent crimes, including one or more shootings, on behalf of the Lex Mob drug organization and its members; and

p. members and associates of Lex Mob and agents of Lex Mob members at times intimidated and threatened potential

witnesses, and provided and offered to provide potential witnesses with money and things of value to influence the outcome of judicial proceedings.

In violation of Title 18, United States Code, Section 1962(d) .

COUNT TWO  
(Racketeering)

12. The allegations contained in paragraphs 1 through 3 and 6 through 11 of Count One are hereby realleged and incorporated by reference as though set forth fully herein.

13. From at least in or about 1993 through the date of this Superseding Indictment, in the District of New Jersey and elsewhere, defendants

RONDELL WARNER,  
MARCEL SIMMONS,  
ROBERTO SANTANA,  
a/k/a "Mira," and  
TIMOTHY JOHNSON,  
a/k/a "Herman Johnson,"  
a/k/a "Dashuaun Baisden,"  
a/k/a "Peanut"

being persons employed by and associated with Lex Mob, which was engaged in, and the activities of which affected, interstate and foreign commerce, did knowingly conduct and participate, directly and indirectly, in the conduct of the affairs of Lex Mob through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), consisting of the acts more fully described in paragraphs 15 through 22 below.

The Pattern of Racketeering Activity

14. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), through which the defendants conducted the affairs of the enterprise included, but was not limited to, the Racketeering Acts set forth in Paragraphs 15 through 22 below.

RACKETEERING ACT ONE  
(Attempted Murder of T.S.)

15. On or about December 8, 1993, in the area of Bergen and Lexington Avenues in Jersey City, New Jersey, within the District of New Jersey and elsewhere, defendant RONDELL WARNER did knowingly and intentionally attempt to cause the death and serious bodily injury resulting in death of T.S., in violation of N.J.S.A. Sections 2C:2-6, 2C:5-1 and 2C:11-3(1) & (2).

RACKETEERING ACT TWO  
(Conspiracy and two Attempts to Murder W.W.)

16. The defendants named below committed the following acts, any of which alone constitutes the commission of Racketeering Act Two:

a. Conspiracy to Murder W.W.

From in or about June 1999 to on or about August 15, 1999, in the District of New Jersey and elsewhere, defendants RONDELL WARNER, MARCEL SIMMONS and TIMOTHY JOHNSON, together with others, willfully and knowingly conspired to cause the death and serious bodily injury resulting in death of W.W., in violation of N.J.S.A. Sections 2C:5-2 and 2C:11-3(1) & (2).

b. Attempted Murder of W.W. in June 1999

In or about June 1999, in the area of Bergen and Lexington Avenues in Jersey City, New Jersey, within the District of New Jersey and elsewhere, defendant MARCEL SIMMONS did knowingly and intentionally attempt to cause the death and serious bodily injury resulting in death of W.W., in violation of N.J.S.A. Sections 2C:2-6, 2C:5-1 and 2C:11-3(1) & (2).

c. Attempted Murder of W.W. on August 15, 1999

On or about August 15, 1999, at Jersey City, New Jersey within the District of New Jersey, and elsewhere, defendant MARCEL SIMMONS did knowingly and intentionally attempt to cause the death and serious bodily injury resulting in death of W.W., in violation of N.J.S.A. Sections 2C:2-6, 2C:5-1 and 2C:11-3(1) & (2).

RACKETEERING ACT THREE  
(Conspiracy to Murder and Murder of W.S.)

17. The defendants named below committed the following acts, any of which alone constitutes the commission of Racketeering Act Three:

a. Conspiracy to Murder Another Person

On or about August 23, 1999, in the District of New Jersey and elsewhere, defendants RONDELL WARNER, MARCEL SIMMONS, ROBERTO SANTANA and TIMOTHY JOHNSON, together with others, willfully and knowingly conspired to cause the death and serious bodily injury resulting in death of a person, in violation of N.J.S.A. Sections 2C:5-2 and 2C:11-3(1) & (2).

b. Murder of W.S.

On or about August 23, 1999, in the District of New Jersey and elsewhere, defendants RONDELL WARNER, MARCEL SIMMONS and TIMOTHY JOHNSON, together with others, purposely and knowingly caused the death and serious bodily injury resulting in death of W.S., in violation of N.J.S.A. Sections 2C:2-6 and 2C:11-3(1) & (2).

RACKETEERING ACT FOUR  
(Attempted Murder of C.D.)

18. On or about January 10, 2002, in Jersey City, New Jersey, in the District of New Jersey and elsewhere, defendants RONDELL WARNER and MARCEL SIMMONS did knowingly and intentionally attempt to cause the death and serious bodily injury resulting in death of C.D., in violation of N.J.S.A. Sections 2C:2-6, 2C:5-1 and 2C:11-3(1) & (2).

RACKETEERING ACT FIVE  
(Cocaine Distribution Conspiracy)

19. Between in or about 1995 and in or about 2002, within the District of New Jersey and elsewhere, defendants RONDELL WARNER, MARCEL SIMMONS, ROBERTO SANTANA, TIMOTHY JOHNSON, together with Rashawn LeGrande did knowingly and intentionally conspire with each other and with others to distribute and possess with intent to distribute five kilograms and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii).

RACKETEERING ACTS SIX THROUGH EIGHT  
(Cocaine Sales)

20. On or about the dates listed below, at Hudson County, in the District of New Jersey, and elsewhere, the following defendant did knowingly and intentionally distribute and possess with the intent to distribute, and aid and abet the distribution of, a quantity of cocaine, a Schedule II narcotic drug controlled substance, in the approximate amounts set forth below:

<u>ACT</u>	<u>DATE</u>	<u>DEFENDANT(s)</u>	<u>QUANTITY</u>
SIX	9/9/99	ROBERTO SANTANA	10 vials
SEVEN	3/1/00	ROBERTO SANTANA	15 vials
EIGHT	5/24/00	ROBERTO SANTANA	22 vials

Each in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

RACKETEERING ACT NINE

(Money Laundering Conspiracy)

21. From in or about March 1997, and continuing through at least February 2002, in Hudson County, in the District of New Jersey, and elsewhere, the defendant RONDELL WARNER and others, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of property believed to be the proceeds of specified unlawful activity, contrary to Title 21, United States Code, Section 841, did conspire and agree to conduct a financial transaction which in fact involved the proceeds of specified unlawful activity, specifically the distribution of controlled substances, contrary to Title 18, United States Code, Section 1956(a)(1).

Methods and Means of the Money Laundering Conspiracy

22. Among the methods and means by which defendant RONDELL WARNER conspired with others to launder narcotics proceeds were the following:

a. it was widely understood by members of Lex Mob that the leader of the enterprise, defendant RONDELL WARNER, arranged for bail money to be paid to the Court to gain the release of Lex Mob members arrested for selling the organization's narcotics;

b. on many occasions when a Lex Mob member was arrested selling the organization's narcotics, defendant RONDELL WARNER arranged for the Lex Mob member's bail to be paid by a person other than himself so as to conceal or disguise the nature, source, ownership, and control of the funds being used to post bail;

c. on many occasions, defendant RONDELL WARNER caused persons known to him to execute Hudson County Superior Court documents in which these individuals falsely represented that they were the "surety/depositor" of the bail funds for various Lex Mob members, including, among many others, defendants MARCEL SIMMONS, TIMOTHY JOHNSON, ROBERTO SANTANA, and Rashawn LeGrande;

d. after being bailed out in the manner described above, a Lex Mob member typically resumed selling narcotics on behalf of the organization and otherwise facilitated the organization's drug distribution business.

In violation of Title 18, United States Code, Section 1956(h).

All of which was in violation of Title 18, United States Code, Sections 1962(c) and 2.

COUNT THREE  
(Cocaine Distribution Conspiracy)

23. From in or about 1995 through in or about 2002, within the District of New Jersey and elsewhere, defendants

RONDELL WARNER,  
MARCEL SIMMONS,  
ROBERTO SANTANA,  
a/k/a "Mira,"  
TIMOTHY JOHNSON,  
a/k/a "Herman Johnson,"  
a/k/a "Dashaun Baisden,"  
a/k/a "Peanut," and  
RASHAWN LeGRANDE,  
a/k/a "Black"

did knowingly and intentionally conspire to distribute and possess with intent to distribute five kilograms and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii).

In violation of Title 21, United States Code, Section 846.

COUNT FOUR  
(Employment and Use of Persons Under  
18 Years of Age in Drug Operations)

24. From in or about 1995 through in or about  
2002, within the District of New Jersey and elsewhere, defendant

RONDELL WARNER

being a person of at least eighteen years of age, did knowingly  
and intentionally employ, hire, use, persuade, induce, entice and  
coerce, a person under eighteen years of age to distribute and  
dispense and possess with intent to distribute and dispense a  
controlled substance, specifically cocaine, a Schedule II  
narcotic drug controlled substance, contrary to Title 21, United  
States Code, Sections 841(a)(1).

In violation of Title 21, United States Code, Section  
861(a)(1).

COUNT FIVE  
(Murder Conspiracy)

25. The allegations contained in paragraphs 1 through 3 of Count One are hereby realleged and incorporated by reference as though set forth fully herein.

26. At all times relevant to this Superseding Indictment, in the District of New Jersey and elsewhere, the defendants RONDELL WARNER, MARCEL SIMMONS, ROBERTO SANTANA, a/k/a "Mira," TIMOTHY JOHNSON, a/k/a "Herman Johnson," a/k/a "Dashaun Baisden," a/k/a "Peanut" and others, were members and associates of Lex Mob, as more fully described in paragraphs 1 through 3 of Count One. This criminal organization constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce.

27. At all times relevant to this Superseding Indictment, Lex Mob, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely acts involving, among other things:

a. acts involving murder under the laws of the state of New Jersey;

b. narcotics distribution, conspiracy to commit narcotics distribution, and the employment and use of persons under 18 years of age in a drug organization, in violation of Title 21, United States Code; and

c. violent crimes in aid of racketeering activity and money laundering, in violation of Title 18, United States Code.

28. On or about August 23, 1999 within the District of New Jersey and elsewhere, defendants

RONDELL WARNER,  
MARCEL SIMMONS,  
ROBERTO SANTANA,  
a/k/a "Mira," and  
TIMOTHY JOHNSON,  
a/k/a "Herman Johnson,"  
a/k/a "Dashaun Baisden,"  
a/k/a "Peanut"

for the purpose of gaining entrance into, maintaining and increasing their respective positions in Lex Mob, which enterprise was engaged in racketeering activity, did conspire and agree to cause the death and serious bodily injury resulting in death of a person, contrary to N.J.S.A. Sections 2C:11-3 and 2C:2-6.

In violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

COUNT SIX  
(Threatening to Commit a Crime of Violence)

29. The allegations contained in paragraphs 1

through 3 of Count One are hereby realleged and incorporated by reference as though set forth fully herein.

30. At all times relevant to this Superseding Indictment, in the District of New Jersey and elsewhere, the defendants RONDELL WARNER and MARCEL SIMMONS and others, were members and associates of the Lex Mob criminal organization, as more fully described in paragraphs 1 through 3 of Count One. This criminal organization constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce.

31. At all times relevant to this Superseding Indictment, Lex Mob, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely acts involving, among other things:

a. acts involving murder under the laws of the state of New Jersey;

b. narcotics distribution, conspiracy to commit narcotics distribution, and the employment and use of persons under 18 years of age in a drug organization, in violation of Title 21, United States Code; and

c. violent crimes in aid of racketeering activity and money laundering, in violation of Title 18, United States Code.

32. On or about June 13, 2001 within the District of New Jersey and elsewhere, defendants

RONDELL WARNER and  
MARCEL SIMMONS

for the purpose of gaining entrance into, maintaining and increasing their respective positions in the Lex Mob enterprise, which enterprise was engaged in racketeering activity, threatened to commit a crime of violence against a person, contrary to N.J.S.A. Sections 2C:12-3 and 2C:2-6.

In violation of Title 18, United States Code, Sections 1959(a)(4) and 2.

COUNT SEVEN  
(Attempt to Commit Murder)

33. The allegations contained in paragraphs 1

through 3 of Count One are hereby realleged and incorporated by reference as though set forth fully herein.

34. At all times relevant to this Superseding Indictment, in the District of New Jersey and elsewhere, the defendant RONDELL WARNER and others were members and associates of the Lex Mob criminal organization, as more fully described in paragraphs 1 through 3 of Count One. This criminal organization constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce.

35. At all times relevant to this Superseding Indictment, Lex Mob, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely acts involving, among other things:

a. acts involving murder under the laws of the state of New Jersey;

b. narcotics distribution, conspiracy to commit narcotics distribution, and the employment and use of persons under 18 years of age in a drug organization, in violation of Title 21, United States Code; and

c. violent crimes in aid of racketeering activity and money laundering, in violation of Title 18, United States Code.

36. On or about January 10, 2002, within the District of New Jersey and elsewhere, defendant

RONDELL WARNER

for the purpose of gaining entrance into, maintaining and increasing his position in the Lex Mob enterprise, which enterprise was engaged in racketeering activity, did knowingly and intentionally attempt to cause the death of and serious bodily injury resulting in the death of another person, contrary to N.J.S.A. Sections 2C:2-6, 2C:5-1 and 2C:11-3(1) & (2).

In violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

COUNTS EIGHT THROUGH TEN  
(Cocaine Sales)

37. On or about the dates listed below, at Hudson County, in the District of New Jersey, and elsewhere, the following defendant did knowingly and intentionally distribute

and possess with the intent to distribute, and aid and abet the distribution of, a quantity of cocaine, a Schedule II narcotic drug controlled substance, in the approximate amounts set forth below:

<u>COUNT</u>	<u>DATE</u>	<u>DEFENDANT(s)</u>	<u>QUANTITY</u>
EIGHT	9/9/99	ROBERTO SANTANA a/k/a "Mira"	10 vials
NINE	3/1/00	ROBERTO SANTANA a/k/a "Mira"	15 vials
TEN	5/24/00	ROBERTO SANTANA a/k/a "Mira"	22 vials

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT ELEVEN  
(Money Laundering Conspiracy)

38. From in or about March 1997, and continuing through at least February 2002, in Hudson County, in the District of New Jersey, and elsewhere, the defendant

RONDELL WARNER

and others, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and (A) with the intent to promote the carrying on of specified unlawful activity, that is, the distribution of narcotics, contrary to Title 21, United States Code, Section 841, and (B) knowing that the transaction was designed in whole or in part to conceal or disguise the nature, location, source, ownership, and control of property believed to be the proceeds of specified unlawful activity, did conspire and agree with others to conduct and attempt to conduct a financial transaction which in fact involved the proceeds of specified unlawful activity, specifically the distribution of narcotics, contrary to Title 18, United States Code, Section 1956(a)(1).

Methods and Means of the Money Laundering Conspiracy

39. Among the methods and means employed by defendant RONDELL WARNER and his co-conspirators to carry out the conspiracy to launder narcotics proceeds were the following:

a. It was widely understood by members of Lex Mob that the leader of the enterprise, RONDELL WARNER, would arrange for bail money to be paid to the Court to gain the release of Lex Mob members arrested for selling the organization's narcotics;

b. On many occasions when a Lex Mob member was arrested selling the organization's narcotics, defendant RONDELL

WARNER arranged for the Lex Mob member's bail to be paid by a person other than himself so as to conceal or disguise the nature, source, ownership, and control of the funds being used to post bail;

c. On many occasions, defendant RONDELL WARNER caused persons known to him to execute Hudson County Superior Court documents in which these individuals falsely represented that they were the "surety/depositor" of the bail funds for various Lex Mob members, including, among many others, defendants MARCEL SIMMONS, TIMOTHY JOHNSON, ROBERTO SANTANA, and RASHAWN LeGRANDE;

d. Shortly after being released from jail, a Lex Mob member typically resumed selling narcotics on behalf of the organization and otherwise facilitated the organization's drug distribution business.

In violation of Title 18, United States Code, Section 1956(h).

A TRUE BILL

---

FOREPERSON

---

CHRISTOPHER J. CHRISTIE  
UNITED STATES ATTORNEY